

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

ERMEREGILDO PEREZ BONILLA,

Defendant.

Case No. 1:11CR00005

ORDER

By: James P. Jones
United States District Judge

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that the Motion to Dismiss (ECF No. 74) is GRANTED; the defendant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C.A. § 2255 (ECF No. 60) is DENIED; the § 2255 proceeding is stricken from the active docket of the court; and defendant's other pending motions (ECF Nos. 79, 80, 81 and 82) are DENIED. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: April 8, 2013

/s/ James P. Jones

United States District Judge